

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

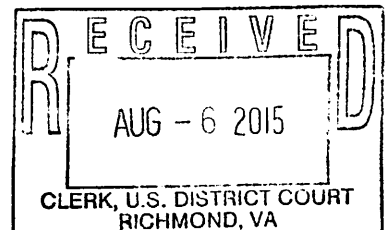
Randall Todd Royer,
Petitioner,
v.
Eric D. Wilson,
Respondent.

Civ. No. 1:15 CV 1021
Crim No. 1:03cr296-LMB

MOTION FOR SCHEDULING ORDER

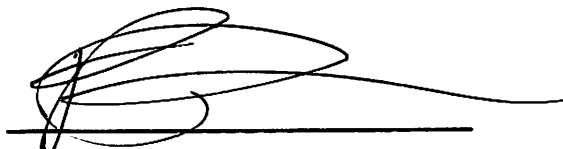
COMES NOW Petitioner and moves this Honorable Court for an expedited scheduling order. Petitioner recognizes that the Court typically directs respondents in habeas cases to respond within 60 days; however, since the issues raised in the petition are solely matters of law, he submits that 30 days is an appropriate and sufficient time for the Respondent to prepare his response to the petition. Indeed, "[h]abeas corpus is intended to provide 'a swift and imperative remedy in all cases of illegal restraint or confinement.'" Wyant v. Edwards, 952 F. Supp. 348, 350 (S.D. W. Va. 1997)(citing Fay v. Noia, 372 U.S. 391, 400 (1963)). "Habeas corpus claims should receive 'a swift, flexible, and summary determination.'" Id. (citing Preiser v. Rodriguez, 411 U.S. 495 (1973)). Indeed, the only real legal issue in this case is whether or not the government reads Johnson v. United States as having invalidated 18 U.S.C §§ 16(b) and 924(c)(3)(B).

Accordingly, Petitioner respectfully requests that the Court issue an expedited scheduling order directing the Respondent to file its response within 30 days.



Respectfully submitted,

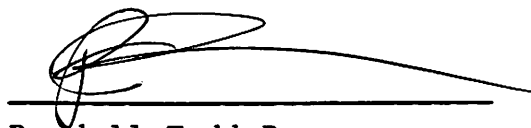
Dated: July 27, 2015

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Randall Todd Royer

CERTIFICATE OF SERVICE

I certify that on this 27th day of July, 2015, I caused a copy of the foregoing to be mailed to counsel for the Respondent.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Randall Todd Royer